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AUTHOR	Hourigan, Maureen M.
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ABSTRACT

In 2001 the National Council of Teachers of English (NCTE) put forth guidelines for the ethical treatment of students during research in composition studies, and several scholars have voiced their fears and opinions. This paper cautions that the Guidelines' reliance on Institutional Review Boards (IRBs) to protect students may unintentionally preclude publication of the kinds of research teachers in a 2-year institution find most productive. According to the paper, the Guidelines could negatively impact teacher/researchers situated in an institution where no IRB exists--adherence to legal permissions is particularly troubling for teacher/researchers in two-year and four-year institutions without IRBs. The paper describes the often different procedures in place from campus to campus, and the difficulty of reconciling them. It contends that the latitude required of professionals to respond to complex, individual situations involving the use of student writing is severely limited by the Guidelines' emphasis on IRBs. It also notes that the National Bioethics Advisory Committee recommendations for changes in rules involving human subjects make clear that IRBs are primarily focused on principles and procedures in biomedical and research sciences, whose research with human subjects is more clearly distinguished from textual research. The paper calls for a revision of NCTE's Guidelines. (Contains 11 references.) (NKA)

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by Maureen M. Hourigan

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"Is There an IRB in this Institution?"

Maureen M. Hourigan

Kent State University, Trumbull Campus

Conference on College Composition and Communication, March 22, 2002, Chicago

While Janis Haswell is concerned that the "NCTE Guidelines for the Ethical Treatment of Students and Student Writing in Composition Studies" are "minimal in nature," I, as a researcher situated in a two-year institution, am concerned that the Guidelines' reliance on Institutional Review Boards (IRBs) to protect students' rights may unintentionally preclude publication of the kinds of research teachers in two-year institutions find most productive. From the time Paul Anderson first proposed the principles of the Belmont Report as a model for composition studies in "Simple Gifts: Ethical Issues in the Conduct of Person-Based Composition Research," several qualitative researchers, including Roxanne Mountford and Richard Hansberger of the University of Arizona, have voiced fears that "Anderson's [initial] proposal [now largely incorporated into the Guidelines] will constrict and eventually replace the rich discussions of ethics that have been going on for some time . . . among rhetoric and composition researchers with inappropriate legal constraints," and more importantly, perhaps, "that if the journals and presses that serve our field listen to Anderson, ours will become among the most restrictive fields for qualitative researchers in the humanities and social sciences" ("Doing Fieldwork in the Panopticon: a Response to Paul Anderson" [http://www.ncte.org.ccc/7/sub49_1anderson.html 1/24/01.]).

While I, like Mountford and Hansberger, agree with Anderson when he calls for composition studies to become more "reflective" about the federally mandated legal and

regulatory guidelines that govern this research--ethnography included (64), I am concerned that the Guidelines may negatively impact teacher/researchers situated in an institution where no IRB exists. How can such researchers interpret and implement the Guidelines to assure themselves and journal editors to whom they submit their research for publication that they have avoided evil and pursued good? Writing about the NCTE's Guidelines in his Editorial in the September 2001 issue of *TETYC*, Howard Tinberg urges two-year college faculty "to show colleagues--especially those who are new to the profession--how to integrate teaching, scholarship, and research"(6). Similarly, Frank Madden, in the July 1999 issue of *College English*, urges graduate programs to "expand the parameters of traditional textual, theoretical, and historical research to include ethnographic research and the scholarship of teaching," the "kind of research most productive at the two-year college" (725). For him, given the "diverse student population" and "multiple sections of the same course" that "provide rich sources of comparison," the challenge of how to help students become literate, critical thinkers is a "prime subject of valuable research" (727). However, Mountford and Hansberger argue that strict adherence to legal permissions Anderson advises "could preclude much ethnographic work," including the kinds of studies Madden finds most productive and sustainable at two-year colleges.

Adherence to legal permissions is particularly troubling for teacher/researchers in two-year and four-year institutions without IRBs. Granted, the 2001 Guidelines do provide directives for composition specialists who "do not work or study at an institution with an IRB or other review process." They are to "contact colleagues at other institutions so they can learn about and follow the procedures IRBs require" (486). But IRB regulations differ so widely from one institution to the next that such advice is confusing at best and a barrier to the publication of classroom-based

research at worst. By way of example, let me compare procedures from some of the universities represented on this panel. As a faculty member of a two-year regional campus of Kent State University, I am bound by IRB regulations established for the main campus. But were I a member of a two-year college without an IRB, I would find quite different procedures in place when I contacted my colleagues on the panel. Chair Libby Allison, of Southwest Texas State University, would inform me that I would be required to complete "Southwest Texas State University Human Subjects Protection Training" and provide a certificate of completion before I could submit an application to the her university's IRB. Panelist Lulu C.H. Sun, of the University of Massachusetts, Dartmouth, would describe a three-page application, including six questions under "Part B -Protection of Human Subjects," that I would be required to complete. At Paul Anderson's Miami University of Ohio, as a researcher "who interact[s] with human subjects to collect data," I would have "to complete a required educational program on ethics and procedures for the use of human subjects in research before the Institutional Review Board or a Departmental Review Committee [could] approve a proposal." However, were I to query Mountford and Hansberger at the University of Arizona, I would learn that, as an ethnographer, I would "need only write a letter to the IRB detailing the research project and explaining that the research will conceal the identities of the informants and will be based on interview, observation, or other non-intrusive research in order to receive an exemption." As they explain in their response to Paul Anderson, a section of The University of Arizona "Human Subjects Committee Manual of Procedures," titled "Projects Exempt from Human Subjects Committee Review," states that

> The Department of Health and Human Services has issued certain defined limitations concerning rules and regulations for the protection of human subjects

> that pertain primarily to projects involving history, social and behavioral sciences. *It is a positive response to the numerous objections voiced publicly and in the press by professionals charging the regulation placed unfair limitations on their investigative prerogative and stifled incentives to conduct research.* The direct result of the action exempts a substantial number of research projects from review by institutional human subjects committees (7; their emphasis)

Given such disparity in IRB procedures, what should a researcher at an institution without an IRB do? Must he or she follow the strict guidelines in place at some universities or follow the "Human Subjects Committee Manual of Procedures" from the University of Arizona? More importantly, which set of guidelines are manuscript reviewers for the major journals in the field likely to deem ethical?

Of concern as well is the fate retrospective research such as that found in Mike Rose's *Lives on the Boundary*. Retrospective studies are not subject to federal policy, which pertains only to preplanned investigations, and are, therefore, not subject to IRB review (Anderson 81). What if, after some years, a teacher/researcher finds a paper that provides a perfect example of the point he or she wishes to make in a journal article or conference presentation? And what if, despite persistent efforts, the teacher/researcher cannot find the student author? "Would it be ethical for the instructor to quote from the student's work without permission?" (Anderson 81) Anderson, himself, has posed these questions, but the 2001 Guidelines provide no definitive answers. "[F]ew instructors," as Candace Spigelman notes, "have the opportunity to reconnect with their students in . . . a deliberate way once the course has ended." And even when they do, she is uncertain that "such direct responses are always appropriate" (341). Would NCTE

journals, which now require permission to use student work, provide an exemption in the cases of retrospective research?

Further complicating the over-arching authority of IRBs as advanced by the 2001 Guidelines is the federal government's move away from local to multi-institutional IRB composition. As *The Chronicle of High Education* reported recently, a federal advisory panel has recommended major changes in existing rules involving human subjects. These changes, made public in December 2000 by the National Bioethics Advisory Committee, include recommendations for the clarification of existing regulations regarding human subjects research, along with an expanded role for institutional IRBs (Brainard, <http://www.chronicle.com/weekly/v47/i18/18a02401.htm>). Included in the directives is the recommendation that "at least half of the members" of an IRB is "be from outside the local institution, and "at least half of each board's members be nonscientists" (Brainard). Among other suggestions is the recommendation that IRB members be trained and certified by independent organizations. Finally, the panel recommends that a new, independent agency "oversee all privately financed research" (Brainard); currently only institutions receiving federal funds are monitored to assure conformity to federal regulations.

As I hope to have demonstrated, the 2001 Guidelines' reliance on IRBs will have to be reexamined. For one thing, the latitude required of professionals to respond to complex, individual situations involving the use of student writing is severely limited by the Guidelines' emphasis on IRBs. For another, the National Bioethics Advisory Committee's recommendations for changes in rules involving human subjects make clear that IRBs are primarily focused on principles and procedures in biomedical and research sciences, whose research with human

subjects is more clearly distinguished from textual research. While composition studies might learn a great deal from ethical codes already adopted in biomedical and research sciences as well as other professions, there is a pressing need for discipline-specific standards. Clearly a revision of the 2001 Guidelines is in order.

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Signature: Maureen M. Hourigan	Printed Name/Position/Title: MAUREEN M. HOURIGAN, Assoc. Prof. of ENGL, SH	
Organization/Address: Kent State University Trumbull Campus 4314 Mahoning Ave. N.W. Warren OH 44483	Telephone: 814-838-4099	Fax: —
	E-mail Address: MMHOURIGAN@aol.com	Date: 11/4/02

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